

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA  
13

14 NAME INTELLIGENCE, INC., a  
15 Washington corporation; and JAY  
16 WESTERDAL, an individual,

17 Plaintiffs,

18 vs.

19 LAUHLIN MCKINNON, an  
individual; JEFF EHLERT, an  
individual; and CHARLES J.  
20 LYBARGER, an individual,

21 Defendants.  
22

Case No. 2:10-cv-1202-RCJ-LRL

TEMPORARY RESTRAINING ORDER

23 THIS MATTER, having come before this Court on the Motion for  
24 Temporary Restraining Order brought by Name Intelligence, Inc. and Jay  
25 Westerdal, this Court having heard oral argument from counsel for the Name  
26  
27

1 Intelligence, Inc. and Jay Westerdal, and considered the Motion and all  
2 evidence presented, including the Declaration of Jay Westerdal and the  
3 Declaration of Hamilton H. Gardiner and attachments thereto, all of which  
4 establish immediate and irreparable injury that will result to Name  
5 Intelligence, Inc. and Jay Westerdal if the status quo is not maintained. The  
6 immediate and irreparable injury includes the transfer or encumbrance of real  
7 property rightfully belonging to plaintiffs, the acquisition of real property in  
8 the name of defendants or their entities and the further distribution of  
9 plaintiffs' funds from the trust account of defendant Charles Lybarger. The  
10 injury to plaintiffs being immediate and irreparable in that real property could  
11 be encumbered or transferred to third party bona fide lenders, or purchasers  
12 who would potentially have priority over the rights of plaintiffs resulting in a  
13 loss of security for plaintiffs monies. In addition, there is the potential that the  
14 distribution of funds from the trust account of Charles Lybarger could result in  
15 an inability to recover such funds from defendants because of insolvency or  
16 fraudulent conveyance of properties and monies to third parties not subject to  
17 this court's jurisdiction. The aforementioned immediate and irreparable injury  
18 will occur if a Temporary Restraining Order is not issued, and that the  
19 Temporary Restraining Order should be issued immediately, and this Court  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 having reviewed the files and records herein, and being otherwise fully  
2 advised in the premises,

3 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND  
4  
5 DECREED AS FOLLOWS:

6 1. Lauchlin McKinnon and Jeff Ehlert are hereby enjoined and  
7 restrained from proceeding with the operation of the business of acquiring,  
8  
9 rehabilitating, managing, and selling of real estate with the use of funds  
10 invested and / or provided by Name Intelligence, Inc. and Jay Westerdal.

11 2. Lauchlin McKinnon and Jeff Ehlert are hereby enjoined and  
12 restrained from selling or encumbering any of the real property purchased  
13  
14 with the use of funds invested and / or provided by Name Intelligence, Inc.  
15 and Jay Westerdal including, but not limited to, the following properties:

- 16  
17 a. 9340 Copper Bay Avenue, Las Vegas, NV 89129  
18 b. 539 Queens Borough Ave, Las Vegas, NV 89113  
19 c. 5320 Dawes Ct, Las Vegas, NV 89110  
20 d. 5386 Lindsay Heights St, Las Vegas, NV 89148  
21 e. 9402 Blacktail Fork St, Las Vegas, NV 89113  
22 f. 5908 Soaring Bluff St, Las Vegas, NV 89031  
23 g. 744 Jacaranda Leaf St, Las Vegas, NV 89139  
24  
25  
26  
27  
28

1           3.     Lauchlin McKinnon and Jeff Ehlert are hereby ordered to  
2 record all deeds of the real property purchased with the use of funds  
3 invested and / or provided by Name Intelligence, Inc. and Jay Westerdal  
4 and record those properties, including, but not limited to those listed in  
5 Section 2 (a – g) in the name of Name Intelligence, Inc.  
6

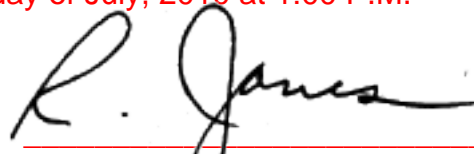
7           4.     Charles J. Lybarger is hereby enjoined and restrained from  
8 transferring any funds remaining in his trust account which were invested  
9 and / or provided by Name Intelligence, Inc. and Jay Westerdal to  
10 Lauchlin McKinnon, Jeff Ehlert or any other third party without  
11 authorization from this court.  
12

13           5.     This Temporary Restraining Order shall remain in place  
14 until Monday, August 2, 2010.  
15

16           6.     Name Intelligence, Inc. and Jay Westerdal shall provide a  
17 bond in the amount of \$ -0-.  
18

19           7.     Lauchlin McKinnon, Jeff Ehlert, and Charles J. Lybarger  
20 shall appear before the Honorable Robert C. Jones, U.S. District Court  
21 Judge, Monday, August 2, 2010, at 02:00 P.M. in Reno Courtroom 6, or the parties may  
22 appear telephonically. Any counsel or party wishing to participate by telephone  
23 may do so and are directed to contact Lesa Ettinger, Courtroom Administrator at  
24 (775) 686-5833, at least two (2) days prior to the hearing.  
25

26 ISSUED IN OPEN COURT this 23rd day of July, 2010 at 1:00 P.M.  
27

28   
Robert C. Jones  
United States District Judge